Liberty

NOT THE DAUGHTER BUT THE MOTHER OF ORDER — PROUDHON

Vol. XI.—No. 2. NEW YORK, N. Y., JUNE 1, 1895. Whole No. 314.

"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."
JOHN HAY.

On Picket Duty.

"Le Père Peinard" is no longer published in London, but, under a new name, "La Sociale," will appear hereafter in Paris as an illustrated weekly. The editor's address is "E. Pouget, 23 Rue des Trois Frères, Paris."

"There the court stands, five to four, like a rock," said Dana in the "Sun," speaking of the decision of the United States supreme court against the income tax. Presumably he meant that, Justice Jackson's vote having placed the court on the side of the income tax, the shift of Justice Shiras rocked it to the other side. Certainly there is no respect in which the court's attitude reminds us of a rock, except that it is very "rocky." Each day the old-time distinction between a "Sun" editorial and a stump speech becomes less apparent. Dana is degenerating.

All progressive men rejoice, of course, over the signal defeat of the German government in the Reichstag, where the "anti-revolution" bill was rejected by an astonishing vote. The bill, if passed, would doubtless have remained a dead letter, but it is very significant that even a German Reichstag cannot, in these days, be dragooned into passing a mediæval measure by the hue and cry of the reactionists that the pillars of society are in danger. Still, the German Social Democrats have no real reason for self-congratulation. Their cause would have been helped rather than hindered by the victory of the government. Free speech does not swell their ranks.

The decision annulling the income tax is a triumph for the strict constructionists. Generally speaking, courts are disposed to construe very liberally constitutional inhibitions and restrictions upon governmental powers, and of late federal courts have been particularly eager to extend the federal province in all directions. How are we to account for this extraordinary exception in the income-tax case, in which the benefits of all doubts, historical and economic, were eagerly given to the enemies of the tax and in which a fine opportunity of enormously strengthening the federal government was deliberately thrown away? The answer is simple: the plutocracy demanded it. When the plutocracy needs protection against boycotting and striking workmen, it demands a liberal construction of federal legislation; when it needs protection against congressional "strikes," it favors strict construction. The courts generally accommodate it, and herein is the key to their apparent inconsistencies and zig-zag, flop-over policies.

William Dean Howells has lately been earning the gratitude of all progressive men for his excellent propaganda work among the Philistines. He has been vindicating the new and fighting the old in a manner that has taken away the breath of a good many journalistic obscurantists. His assault on Nordau was particularly refreshing. But here and there Mr. Howells makes a remark which has the unmistakable stamp of Philistinism upon it, and which is so false and inept as to be utterly unworthy of a thinker of his rank. Thus, in discussing the new woman of actual life and the new woman of fiction, he says: "What is certain is that, if the new man ever does come, the new woman will be too good for him, just as the old woman is too good for the old man now, and always has been." Now, this piece of chivalrous nonsense is as insulting to self-respecting women as any of the shams and falsehoods with which, in the days of woman's slavery, man sought to cover up his low treatment of woman. The trick is cheap, vulgar, and transparent. True respect for women has no use for such silly and insincere flattery.

Mrs. Fawcett, reviewing "A Woman Who Did" in the "Fortnightly Review," angrily resents what she describes as Mr. Allen's "attempt to attach the fatal and perfidious bark of free love" to the "substantial craft" of woman suffrage and such things generally, for which she has long struggled in the fond belief that she was accomplishing something for women. Mr. Allen's attacks on marriage and the family she characterizes as the "incoherent cry" of the ape and the tiger in man, who rebel against the restraints of human civilization. No radical need take umbrage at this, since even the reviewer of the old, orthodox "Saturday Review" says good-naturedly that Mrs. Fawcett's article will be found very entertaining by everybody, including Grant Allen himself. This is an unkind cut indeed. Mrs. Fawcett is terribly in earnest, and started out, not to amuse us, but to annihilate Mr. Allen and his fellow-heretics, and she certainly counted on the warm support of such true friends of marriage as the "Saturday Review." Yet she is told by this traitor that she has made a spectacle of herself! Still, considering the provocation, the "Saturday Review" writer can hardly be blamed. Mrs. Fawcett, in her blind fury, denied the book all literary merit, and condemned the story as feeble and silly to the last degree, whereas most of the professional literary critics have been forced to admit that, as a work of art, "The Woman Who Did" has strength, beauty, and imaginative truth. It is dangerous to go too far. Our Philistines should strive to be moderate, for extreme treatment of the new is resented even by many of our most inveterate enemies.

George Parsons Lathrop, the literary convert to Catholicism, reviews some of the modern literature against marriage in the New York "Herald," and earnestly pleads for mercy to that ancient institution. Admitting that women are beginning to throw off the yoke, he addresses to them the following reasons for resignation and acquiescence: "If there be slavery in marriage, certainly a very large share of the bondage falls upon the man. The difficulties, the burdens, the restrictions he has to submit to in marriage are innumerable and endless. Usually he takes them without a murmur, as a matter of course. Often he accepts them with great joy, as a part of the price he has to pay for unspeakable blessings of companionship and domestic surroundings. We never yet have heard of men banding together to break up the institution of marriage, which entails upon them so much of care, trial, and suffering." Of course, if marriage is slavery, men have suffered together with women, but they have not suffered to the same extent or degree. In the first place, the laws they themselves have made have not provided for equality of burdens and powers. The discriminations have generally been in their favor, and women have had to depend on their generosity rather than on clearly-defined principles of justice. No doubt men have often been very generous to women, but they have also been very mean and tyrannical, both individually and collectively, and in this meanness and tyranny the law has protected them. In the second place, men have always taken excellent care to provide themselves with extra diversions and attractions, regardless of the legal and religious fictions which they have kept up for the sake of appearances. Their apotheosis of marriage has not prevented them from telling off tens of thousands of women for lives of prostitution. Their alleged monogamy has not interfered with the maintenance of a notorious polygamous *régime*. Being able to turn for consolation and relief to so many things, the burden of marriage was not so heavy and galling to them. Now that women are beginning to imitate them, they virtuously point to their own pretended readiness to suffer without a murmur! No, it is too thin. The game is up. Women will either command the same privileges, or else the marriage institution is doomed.

Liberty.

Issued Fortnightly at Two Dollars a Year; Single Copies, Eight Cents.

BENJ. R. TUCKER, EDITOR AND PUBLISHER.

Office of Publication, 24 Gold Street.
Post Office Address: LIBERTY, P. O. Box No. 1312, New York, N. Y.

Entered at New York as Second-Class Mail Matter.

NEW YORK, N. Y., JUNE 1, 1895.

"In abolishing rent and interest, the last vestiges of old-time slavery, the Revolution abolishes at one stroke the sword of the executioner, the seal of the magistrate, the club of the policeman, the gauge of the exciseman, the erasing-knife of the department clerk, all those insignia of Politics, which young Liberty grinds beneath her heel." — PROUDHON.

☞ The appearance in the editorial column of articles over other signatures than the editor's initial indicates that the editor approves their central purpose and general tenor, though he does not hold himself responsible for every phrase or word. But the appearance in other parts of the paper of articles by the same or other writers by no means indicates that he disapproves them in any respect, such disposition of them being governed largely by motives of convenience.

Jury Reform.

It is impossible to blame those who clamor for the radical reform of the present system of trial by jury, even though the changes suggested by them may not be in the line of progress at all. Trial by jury, as we know it, is a farce and a mockery. Weeks are spent in selecting men to serve; the intelligent and fit members of the community are carefully barred out; and of the ignorant only those of whose unfitness there can be no reasonable doubt are, under the law, preferred by judges and lawyers. In New York a police officer has recently been tried on the charge of extortion. The evidence, arguments, judge's charge, and everything else consumed but two days; the jury's deliberations, which ended in a disagreement, lasted about twenty-four hours; while the work of selecting this jury required over three weeks. The cause of this odd disparity was the assumed necessity of keeping out men who knew anything about the Lexow police revelations and who had any positive opinions about the character of the force and the standing of its individual members. In view of the sensational character of the Lexow revelations, it is safe to say that the man who asserts that his mind is a perfect blank on the subject is either a fool or a liar, and hence it is from the ranks of the fools and liars that the jury had to be drawn. The defence in the case in question was entirely willing to have such a jury, since the chances of conviction with it are exceedingly slight; but the prosecution, realizing the abstruse character of the legal elements of extortion, insisted on exercising special care and selecting an exceptionally intelligent jury. Observe, then, their dilemma: on the one hand, reading and reflecting men, almost without exception, have "opinions" about the New York police force which render them unfit for jury service. Considering that during the Lexow sessions, which were spread over a long period, the newspapers were full of reports and editorial moralizing concerning the venality and hopeless corruption of the entire police force, and that the town had no more absorbing topic of discussion, the failure to form an opinion must be deemed a sure mark of imbecility. As a matter of fact, all rational men did form opinions, and there has been nothing in subsequent events to lead them to change their opinions. All rational men believe that, in the case of the superior grades of officers at least, it is fair to hold every man guilty until proven innocent. This, of course, "won't do" for a trial according to legal evidence, and hence all rational men had to be excluded. On the other hand, the prosecution knew that ignoramuses could never be made to understand the technical definitions of the legal elements of extortion, or the significance of the distinctions that were certain to arise on the arguments. Under the circumstances the wonder is that three weeks was *all* that was needed for the selection of a jury able to define "probative force" and "burden of proof," but destitute of any opinions regarding the moral standing of the police.

In spite of the extraordinary efforts, the result was a mistrial. Loud demands are now made for jury reform, and, as usual, the propositions are that a majority should be empowered to render a verdict and that the "better classes of citizens" should be induced or compelled to serve. Both propositions are essentially reactionary. A trial by the "better citizens" would not be a *trial* by the country, and a majority verdict would not be a *verdict* by the country. Only one sensible suggestion has been made, — that the examination of jurors with respect to their opinions should be entirely done away with. It is an insult to assume that a disinterested man cannot, regardless of an "opinion" formed from general reports and hearsay, arrive at a verdict on the legal evidence presented in court. In a newspaper age all intelligent men form opinions on such information as becomes public property, but few are ready to send a man to prison on the strength of such opinions.

It is needless to say that no one has suggested the reform of making the jury judges of law as well as of fact. Indeed, in view of the widespread dissatisfaction with jury trial, the suggestion must seem paradoxical. But, in reality, such a reform would, even under present conditions, prove highly beneficial. It would simplify the proceedings and check legal juggling. It would diminish injustice and introduce common sense, which is all but banished from common-law jurisprudence. I regret to see that the Baltimore "Sun," which doesn't know a good thing when it has it, deplores the fact that in Maryland the jury are still judges of law as well as of fact. It is safe to say that, if this system works unsatisfactorily in Delaware, the fault lies elsewhere. Let the "Sun" inquire into the methods of selection and drawing of names. In all the States of the Union where original trial by jury exists, it will be found that the safeguards which are necessary to secure a truly representative jury have been neglected or deliberately rejected. It is obvious that, the greater the power of the jury is, the more important the preliminary steps become. It is unfortunate that most of those who discuss jury reform know nothing regarding the true philosophy of the institution, and it is to be feared that the outcome of the present agitation will be the abolition of unanimity in jury verdicts. Utah, in her newly-framed constitution, has already provided for a majority verdict.

V. Y.

The Plutocratic Masquerade.

An anomalous and curious situation is brought to light by the decision in regard to the power of congress to impose direct and indirect taxes under the federal constitution. In his very able and compact argument in favor of taxes on rents, the attorney-general, Mr. Olney, conclusively maintained that, if a tax on the income of land is a direct tax, a tax on interest and dividends is also a direct tax; and he virtually told the court that, having exempted land, they are bound to carry out the principle of the ruling and exempt personal property as well. But Mr. Olney warned the court that such a decision would be a crushing blow to the government, a misfortune and disaster to the nation. With great emphasis he continued:

> Such a result, if it must be, will, I firmly believe, when fully comprehended by the American people, be universally deprecated as a great public calamity. They have come to take pride in the United States as the representative of an indivisible nationality, as a political sovereign equal in authority to any other on the face of the globe, adequate to all emergencies, foreign or domestic, and having at its command for offence and defence and for all governmental purposes all the resources of the nation. It will be an unwelcome awakening for them to discover that this thing of their faith and their pride is but a maimed and crippled creation after all, invested with but a fraction of the most important of governmental powers, and weakest exactly where its strength should be the greatest.

Mr. Olney believes in a literal construction of the constitutional prohibitions, and he would stretch and strain the letter of the constitution in order to give effect to what he assumes to be its spirit and ultimate purpose. But, as a number of newspaper commentators well observe, the trouble with Mr. Olney is that he begs the question at the outset and argues from a radically vicious postulate. The framers of the constitution had no intention to establish "a political sovereign equal in authority to any other on the face of the earth." On the contrary, they aimed at the creation of a federal sovereign with a minimum of authority over the independent and sovereign States. All their labors and anxieties were directed, not toward the building up and strengthening of the federal authority, but toward the safeguarding and protecting of the States *from* the federal power. The constitution was the result of compromises, deals, and concessions, and, if jealous and suspicious framers of it had been told that, after all, in spite of all their ingenuity, the result was the creation of a power equal to that of any other highly centralized government in the old world, they would have been mortified and disgusted. The fact, then, that the government now finds itself cornered and confined ought not to surprise or alarm anybody familiar with its origin and beginnings. Again, although the door is locked, the key has not been thrown away. If the federal government now needs larger powers, there are constitutional ways of securing such an extension of authority. Indeed, there would probably be little opposition to such an attempt. The so-called sovereign States have given up so much that they might as well "let the tail go with the hide."

Suppose, however, that the States decline to enlarge the federal authority, and insist on keeping the "maimed and crippled" creation

within the original bounds. Then we should have this result, — that, no matter what changes take place in political relations and needs, no matter how obsolete and inapplicable the old constitution may become under revolutionized conditions of existence, the few small, poor, and primitive States whose jealous delegates secured the galling restrictions will continue to impose their will on the present and future, and effectually prevent reconstruction and reform.

Of course, this is only another instance of the rule of the "dead hand." Paper constitutions are always bound to produce such incongruous consequences. Those who are in favor of evading and nullifying them by "liberal construction" would be more consistent if they opposed paper constitutions altogether. Without strict construction, they are useless; with strict construction, they are a perpetual stumbling-block.

But is it not remarkable that the very men who profess to adhere so strictly and faithfully to the original compact should be the most blatant and ferocious "federalists" at the same time? The word secession inspires horror in the East, and any reference to State rights is denounced as treasonable. Yet it is in the East that the income tax is most hated and the argument of unconstitutionality most solemnly urged. If the original compact is so sacred that it must be maintained at all hazards, why are other State rights and prerogatives than this negative one bearing on direct taxation so lightly relinquished? Above all, why is there such absolute acquiescence in the fiat against the right of the States to secede? Certainly the framers of the constitution never intended to surrender this fundamental, all-inclusive right, and, if their wishes in minor matters are to be religiously observed, as we are hypocritically told by the anti-income-tax patriots, what treason and cowardice it is to surrender the right preservative of all rights! Our plutocratic friends care nothing for State rights, constitutions, or original compacts. The pocket is everything to them, and all the rest nothing but masks and disguises under which the old trade is carried on. V. Y.

A Poseur Exposed.

I propose in this article to deal in my usual gentle fashion with Mr. Braggadocio Outrecuidant Flower, the editor of the "Arena." Indisputable evidence of his hollow humbuggery has come into my possession, which I shall now place before the readers of Liberty. They will remember that a few months ago the campaign which the editor of the "Arena" and his staff of assistants and contributors have been conducting with a view to raising the "age of consent" was subjected to extended and searching criticism in the editorial columns of Liberty, and that a few weeks ago an article on the action of the Denver convention of the American Federation of Labor, which had appeared in one of the "Arena's" editorial departments, was editorially dissected by Liberty, and shown to be a tissue of lies woven in the interest of State Socialism. It now appears that some of the readers of Liberty are readers of the "Arena" also, and that at least one of these was greatly surprised to find no attempt made in the "Arena" to refute Liberty's arguments and charges, which seemed to him so well sustained. Entirely without my knowledge, he wrote to the editor of the "Arena," asking him (I quote from a letter which he has written to me since) "if he could safely ignore such intelligent criticism as was contained in Lillian Harman's article upon the 'Arena's' age-of-consent symposium, which recently appeared in Liberty's columns. I also called his attention to your Denver correspondent's communication, published in the last issue of Liberty." This inquiry Flower could not well evade; so he vouchsafed an answer, which its recipient has forwarded to me with permission to publish it. Presumably its writer will take pride in seeing it in print. It appears below exactly as written, — in the correct and beautiful English which the editor of "the magazine discussing great issues of the day" would naturally use.

OFFICE OF THE ARENA PUBLISHING COMPANY,
PIERCE BUILDING, COPLEY SQUARE, BOSTON,
MAY 1, 1895.

MY DEAR SIR, — Your esteemed favor received, and in reply would say: I cannot agree with you in your conclusion that, because the "Arena" does not turn aside to notice the contributions and alleged arguments of every little journal published in the United States that choose to differ from some of the contributions which appear in the magazine discussing great issues of the day, it is unable to answer them. If it did so, we would without question greatly delight the numerous fault-finders, and, if we did so, it would also be necessary for us to publish a magazine three times the size of the "Arena."

I notice the criticism of Mr. J. Hinton's article in Liberty.* Mr. Hinton's editorial had merely stated the facts as they were published, and which, I believe, were exactly as they occurred. The statement that the "Arena" was denounced by all the labor men of the Denver conference, the Union men, etc., as a "rat" publication and unworthy of the patronage of labor is unqualifiedly false, and is characteristic of much that is constantly appearing in irresponsible journals.

The "Arena" had a contention with the Boston Typographical Union, which demanded that we should unionize our office. Our reply was that we did not own the printing-office where the "Arena" was printed; that we compelled our printer to maintain the Union scale of prices, and not to discriminate against Union men, but that we felt we had no ethical right to go beyond this, and declined to do so. Whereupon the Typographical Union, or some of its members, took it upon themselves to introduce a resolution in the Denver Conference, asking the convention to blacklist the "Arena." The resolution, however, was promptly defeated, and the matter was referred to the executive committee of the Federated Trades. I do not know what the executive committee will or will not do, but, as I have explained our position fully to them, and also the fact that we in no sense claim to be a Union publication nor the organ of any sect, party, or school of theorists, we shall pursue the course which we believe to be right, just, and fair.

Again I repeat that our work is far too important to take up our space in noticing contributions of the character of the series which appear in Liberty.

Respectfully yours, B. O. FLOWER.

To show, first, the utter hypocrisy of this claim that Liberty is a journal of no importance, I print below another letter especially written to me by the Arena Publishing Company last February.

OFFICE OF THE ARENA PUBLISHING COMPANY,
PIERCE BUILDING, COPLEY SQUARE, BOSTON,
FEBRUARY, 1895.

DEAR SIR, — We take pleasure in sending you a copy of "A Scientific Solution of the Money Question" by Arthur Kitson.

We believe this one of the most important works on this subject that has been published, and it has already received flattering recommendation from eminent thinkers.

We should esteem it a special favor if you would mail us a marked copy of your paper containing review of this work.

Cordially yours,
ARENA PUBLISHING COMPANY.

Please oblige us by quoting price: $1.25, cloth; 50c., paper.

It appears, then, that in the month of February, when Lillian Harman's criticism appeared in Liberty, the Arena Publishing Company placed so high an estimate upon the importance of Liberty that it was begging, as a special favor, for notice in its columns, but that in the month of May, when summoned to meet the arguments advanced by Liberty, the editor of the "Arena" finds it a little, unimportant, and irresponsible journal. The contradiction is so flagrant and so clearly convicts Flower of insincerity that it is needless to comment upon it.

It is to be further noticed, however, that in answering his correspondent, the editor of the "Arena" takes some pains to refute one of the statements made in Liberty, which leads one to suspect that he would have attempted a refutation of the others had he felt equal to the task, and that his plea of Liberty's insignificance is put forward to save him from the necessity of exhibiting his weakness. The matter upon which he makes answer — namely, the attitude of the American Federation of Labor toward the "Arena" — was introduced incidentally by Mr. Cohen in his reply to Mr. Hinton's article, and is of small importance beside the main issue raised regarding the truth of Mr. Hinton's statements. Nevertheless we may consider it for a moment, especially as an attempt is made to discredit Mr. Cohen's reply by an insinuation that it proceeds from an irresponsible source. It was hardly to be expected that such a complaint would be preferred against an article written as a report of the proceedings at Denver by a man who was one of the half-dozen members of the convention's most important committee (on resolutions) and a most active participant in the convention's discussions. But, this complaint having been made, I determined to refer the disputed points to the secretary of the American Federation of Labor, whose office gives him a responsibility in this connection that even Flower will not presume to question. In due course I received from him the following answer to my inquiries:

AMERICAN FEDERATION OF LABOR,
DE SOTO BLOCK, INDIANAPOLIS, IND.
MAY 7, 1895.

To the Editor of Liberty:

DEAR SIR, — Yours to hand, asking (1) if there are any essential inaccuracies in article of "C" in your paper on the action of our Denver convention upon the political programme; (2) is article of "R. J. H." in the "Arena" on the same subject correct; (3) what was the action taken at the same time on the "Arena"?

In answer, would say: The article of "C" is an exceptionally clear summing-up of the conditions surrounding the discussion and vote upon Plank 10. I have compared the figures with the records and find them right. As to whether the article of "R. J. H." in "Arena" is correct or not, I cannot say, as I do not read that publication. The convention voted to declare the "Arena" unfair unless it was printed in a Union office, and instructed our executive council accordingly. This latter body has failed so far, but, in order to leave nothing undone, has instructed one of its number to call personally on "Arena" people, and, failing to effect a settlement before June 1, the wishes of the convention to be carried out.

Fraternally, AUG. MCCRAITH,
Sec'y of the A. F. of L.

* Mr. Flower here means to say: the criticism in Liberty of Mr. R. J. Hinton's article in the "Arena."

Let me say at once that in the quarrel between the "Arena" and the American Federation of Labor my sympathies are entirely with the "Arena." If we view the Federation as an organization formed for the purpose of securing as high wages as possible for its members, there is, to be sure, no reason why it should not use the boycott for that purpose when and where it will. But in doing this the members of the Federation are simply struggling for self-preservation, which they secure to a considerable extent at the expense of non-members. Now, on the other hand, the "Arena," in buying in the cheapest market, is similarly struggling for self-preservation, and is no more deserving of bitter words than the Federation members themselves. Moreover, its action is entirely in harmony with that principle of free competition in the extension of which lies labor's only hope, and the application of the epithet "rat" to it because of such action is inconsistent and unbecoming on the part of the Federation or its members as long as that body refuses to commit itself to State Socialism, and as long as its members individually do not seek to pay as high prices as possible for all the articles which they consume.

But this is a digression, entered upon by me simply to guard against any misinterpretation of my position. The real question in this matter at present is not whether the Federation is justified in its attitude toward the "Arena," but whether Mr. Cohen was right in declaring that the Federation voted to boycott the "Arena." Flower says that the Federation did not so vote, and in this he seems to be technically right, according to Secretary McCraith's version of the facts. But from this same version it appears that the Federation did vote that a boycott should be placed upon the "Arena" if it should refuse to comply with the Union conditions. Now, as Mr. Cohen referred to this matter only to show the *feeling* of the Federation toward the "Arena," it follows that he was substantially right in his representation. He erred only in omitting to state that the Federation decided not to resort to heroic measures until the "Arena" should have shown a determination not to change its course.

But, if Secretary McCraith's letter shows that Mr. Cohen erred formally here, how emphatically it corroborates his statement that the Denver convention adopted the occupancy-and-use plank! And how conclusively it disposes of Flower's claim that Mr. Hinton's article was a true account of that convention! For, whether Secretary McCraith has read Mr. Hinton's article or not, his certificate of Mr. Cohen's accuracy in regard to the vote on Plank 10 logically carries with it a denial of Mr. Hinton's statement, which is diametrically opposite to that of Mr. Cohen. Mr. Hinton stated in the "Arena" that the convention *rejected* the occupancy-and-use plank (on the motion to substitute it for the Socialistic Plank 10) by a vote of 1,217 to 913. Mr. Cohen stated that the convention *adopted* the occupancy-and-use plank by a vote of 1,217 to 913. The secretary of the Federation, being appealed to, says that Mr. Cohen's statement is the true one. Does Mr. Flower pretend to dispute the statement of the Federation's secretary? If so, let him produce his evidence. He can no longer hide behind the plea of irresponsibility.

Now a few words as to the justice of the claim that Liberty is a journal too insignificant to be noticed by a magazine like the "Arena." That this claim is a dishonest one has already been established by the letter from the Arena Publishing Company begging for notice in Liberty's columns. But, even were it put forward honestly, would it be in any way admissible? In this connection we may properly inquire in what estimation Liberty is held by men whom the "Arena" considers worthy of its publicity.

First, take Mr. Arthur Kitson himself. He is a man scientifically educated and the author of a book on money which, whatever may be my opinion of it, is pronounced by the Arena Publishing Company "one of the most important works on the subject that has been published" and is favorably reviewed in the "Arena" at extraordinary length. What is Mr. Kitson's opinion of Liberty? I have it in a letter written last February, in which, renewing his subscription, he generously enclosed more than double the regular price, saying of his contribution: "I wish I could make it $5,000. *Liberty is unqualifiedly the best journal published.* I only wish it were a daily paper." I am sure that my severe criticism of Mr. Kitson's book has not led him to change his mind about Liberty; he is not that kind of a man. He undoubtedly holds substantially the same opinion of the paper that he did in February. Now, whatever Mr. Flower himself might think of Liberty, he certainly would not be justified in dismissing as beneath his notice a publication which a man whom he lauds as one of the most important economic writers calls the best journal published.

Take another, — Mr. Victor Yarros. The name of Mr. Yarros has been more steadily and conspicuously identified with Liberty than that of any other person, save myself. For a considerable period Mr. Yarros held the position of associate editor in this office, he has always conducted the paper in my absence, and at present he is contributing to its editorial columns as regularly and abundantly as ever. But Mr. Yarros's political and economic writings are also acceptable to the "Arena." More than once has Mr. Flower purchased and published articles from his pen. No longer ago than April of this year there appeared in the "Arena" an article by Mr. Yarros on "The Palladium of Liberty," which the New York "World," in its review of the April number, spoke of as easily the foremost attraction in that month's table of contents. With what grace, then, can Mr. Flower ignore as insignificant a journal largely written and sometimes managed by a man whose writings he prints and pays for and the critics praise?

And there are others. I am sure that Mr. Hamlin Garland or Mr. W. D. McCrackan or Mr. Henry D. Lloyd — all prominent writers for the "Arena" — would say, if asked, that Liberty's articles are characterized by an ability, a seriousness, and an independence that entitle them to the attention of any honest seeker after truth who has been made a target in its columns.

On what reasonable ground, then, can Mr. Flower meet Liberty with a sneer instead of with a reply?

Because it is small in size? Is the weight of an argument to be measured by its length? And, if it were, does not Liberty on occasion print articles far exceeding in length the average magazine article, and would not Lillian Harman's review of the "Arena's" symposium have filled a dozen of the "Arena's" pages?

Because its circulation is comparatively small? For a similar reason the "Police Gazette" might pooh-pooh the "Arena." I would willingly admit that the "Arena," if opposed with substantially the same arguments by two journals equal in all respects save circulation, might justifiably confine its attention to the one more widely read. But no such consideration affects the present case. The "Arena" is carrying on a campaign to raise the age of consent. In the press at large it meets little or no opposition. No review of its arguments in any way comparable with that which has appeared in Liberty has been printed in any other paper. This review was signed by a woman, and the "Arena" professes to be acting in the interest of women. It presented, with an ability that has attracted the notice of many competent judges, arguments that have not appeared in any journal of large circulation. The "Arena," therefore, if it aims to be scientific rather than sensational and is seeking truth rather than notoriety, is bound to cope with such a criticism, however humble its source.

Moreover, and most of all, the quality of Liberty's constituency must be considered, the influence that it has had on sociological students, and the unique position that it occupies in periodical literature. Its reputation is world-wide; it is read by choice spirits in the remotest quarters of the globe; and it is known as the organ of a school whose name is on the lips of all. Professor Franklin H. Giddings, of Columbia College, lately referred to it in a public address as the most advanced representative of one of the two great currents of social thought which are now dividing the world. There is abundant evidence to justify this classification. The facts are well known and indisputable. Journals published for revenue only may close their eyes to these facts without impairing their prosperity, but the professedly reformatory magazine which wilfully disregards them must thereby sacrifice its honor.

When the editor of the "Arena" declares that Liberty is irresponsible, those familiar with the facts will know that he is a liar. When, to save himself from the necessity of meeting its unanswerable arguments, he hides behind a plea that Liberty is beneath his notice, they will consider him a coward. If he believes that such tactics can prevail against the truth, there is no doubt that he is a fool. And now I am done with Mr. Braggadocio Outrecuidant Flower.

T.

Pertinent Questions.

To the Editor of Liberty:

I have refrained from asking some questions which occurred to me in reading "Instead of a Book," because I had hoped that I might find in Liberty short and comprehensible answers to them. They may have been answered, but I have not time to read everything in Liberty, and therefore trouble you with them.

First: I assume that Anarchic associations will protect me in the "use and occupation" of an acre around my house, stocked as a chicken-yard. Is that correct? (*a*) And, if so, will they protect me if the acre be on the corner of Wall St.? (*b*) Or in the use and occupation of one hundred thousand acres used

and stocked as a deer-park, which would otherwise be waste-land? (c)

Second: will they protect me in the "use and occupation" of a home site, although I let out one room to a lodger? (a) If so, will they protect me in the "use and occupation" of the Mills building? (b)

Third: if a girl finds it more profitable to work for me tending those chickens than to work for herself, will I still be protected in the use and occupation of my chicken-yard? (a) If so, will I be protected in the use and occupation of a coal-mine as long as (by my power of organization, for example) I pay the miners more than they could earn working for themselves? (b) Will I be protected in its use and occupation if I do not work it up to its full capacity? (c) Or if another could get more out of it? (d)

Fourth: you seem to believe in jury trial to determine what is invasion, and whether the invasion has been committed. Would not an average jury convict you of invasion, believing as they do (and as I do not) that you corrupt public morals, religion, and order?

I am, yours very respectfully, BOLTON HALL.

First: (a) yes, provided you do actually so occupy and use it. (b) Yes. (c) No; for the hypothesis, "otherwise waste-land," excludes the need of protection.

Second: (a) yes, but they would not collect your rent, and might not even evict your tenant. (b) If you personally occupied and used the land on which the Mills Building stands, — that is, we will say, the basement and ground floor, — you would be allowed to add as many more stories as you chose to add and to make your own arrangements with tenants. But your tenants would not be forced to pay you rent, nor would you be allowed to seize their property. The Anarchic associations would look upon your tenants very much as they would look upon your guests.

Third: (a) yes, provided there was no obvious intent on your part to occupy more land than you could personally use for the given purpose, and provided it was not clearly impossible for one person to occupy and use so much land. Your own limitation of the area to one acre meets these provisions; so the answer in the given case is unqualifiedly in the affirmative. (b) As I have heretofore had occasion to explain to Mr. Byington, I do not know enough about mining engineering — its possibilities and impossibilities — to discuss this question intelligently. Hence I can make only the general answer that Anarchic associations would recognize the right of individual occupants to combine their holdings and work them under any system they might agree upon, the arrangement being always terminable at will, with reversion to original rights. (c) If you did not occupy your coal-mine as your sole residence; and if you limited your working of it to the taking-out of one bucketful of coal per day; and if you continued this practice until it became reasonably sure that your method of procedure was not a temporary matter, due to illness or some other incidental cause, — I fancy that, some fine morning, after you had taken out your bucketful and gone away, the Anarchic association would proclaim your mine abandoned. (d) Yes.

Fourth: drawn as at present, very possibly; drawn by lot from the *whole* body of citizens in the community, and judging the law as well as the fact, and bound to convict unanimously on the first trial or not at all, almost surely no. Have you read Spooner's "Free Political Institutions"? If not, please do so before questioning further on this subject. T.

Mutual Money and Its Props.

To the Editor of Liberty:

Your answer to me in No. 309 will probably satisfy me when its meaning has been made clear to me by the answers to two or three questions:

In the ideal community of perfect men, what would make it certain that mutual-bank notes would be taken at par, if there were no contract to take them at par?

In the present world, what will maintain the value of a mutual-bank note which has good collateral, if "all the props be removed," or if that particular prop be removed which consists in the contract to take the money at par? Not its convertibility, surely, for it is not convertible at the holder's will; it is convertible only in case the borrower fails to do something — to do what? What would the security be security for, in such a case? STEPHEN T. BYINGTON.

P. S. In reference to this discussion a friend writes: "Excuse me for saying that there seems to me no necessity of regarding the mutual bank as a cardinal doctrine of Anarchism." It is certainly an important fact, which some are in danger of forgetting, that the mutual bank doctrine is no part whatever of Anarchism. But it is a valuable help to Anarchism, I think. Many earnest men hold that inconvertible paper money is very useful, and that it cannot be had without a government fiat. Unless they can be made to see an error in one position or the other, this cuts them off from seeing the good of Anarchism. In my judgment their first position is sound, their second is false, and its refutation is in the mutual bank. Therefore the mutual bank is a necessary part of the way to make Anarchists of such men. I do not care so much for the mutual bank as an end in itself, — though it is a good thing, — as for the work it can do in breaking down the superstition of government.

In an ideal community of perfect men, from which, by the hypothesis, failure to meet financial obligations is absolutely eliminated, mutual-bank notes would circulate, even if unsecured, because this very hypothesis implies a demand for these notes, after their issue; borrowers must regain possession of them in order to make the hypothesis a reality, and those from whom the borrowers buy will accept the notes from them in the first place because they know — again by the hypothesis — that the borrowers must in some way recover them. They will circulate at par because, being issued in terms of a commodity standard, and redemption by cancellation being assured, there is no reason why they should circulate at a figure below their face. Or, at least, if there is such a reason, it is incumbent upon Mr. Byington to point it out.

In the existing unideal world the collateral securing a mutual-bank note would guarantee its holder that, unless the original borrower buys back the note in order to cancel therewith his own note held by the bank, the bank itself will ultimately convert the collateral into the commodity agreed upon for redemption purposes and with the proceeds buy back the note. Therefore it is precisely this convertibility, even though conversion is not to be had on demand, that will maintain the value of the mutual-bank note.

The mutual bank will never show anybody that paper money which is never convertible can ever be made steadily useful in an unideal world, either with or without a government fiat. For such is not the truth, and neither the mutual bank or anything else can establish an error.

Mutual banking, it is true, is not a cardinal doctrine of Anarchism. But free banking *is*. Now, free banking will lead to mutual banking, and mutual banking is the greatest single step that can possibly be taken in the direction of emancipating labor from poverty. Mutual banking, then, is as intimately connected with Anarchism as though it were one of its cardinal doctrines. Liberty is valuable only as it contributes to happiness, and to this end no single liberty is as necessary at present as the liberty of banking. T.

The number of controversies which Liberty now has on its hands makes it impossible to deal promptly with all of them. Contributors whose manuscripts remain for some time in the pigeon-holes are requested not to be discouraged or impatient.

The next number of Liberty will contain an extended reply from Mr. Arthur Kitson to the criticisms passed upon his book by Mr. Bilgram and myself. I make the announcement because Mr. Kitson informs me that there are those who consider these criticisms unanswerable owing to the non-appearance of a reply. I would not be too sure, if I were he, that the appearance of his reply will have any other result than to confirm them in their opinion.

Anarchist Letter-Writing Corps.

The Secretary wants every reader of Liberty to send in his name for enrolment. Those who do so thereby pledge themselves to write, when possible, a letter every fortnight, on Anarchism or kindred subjects, to the "target" assigned in Liberty for that fortnight, and to notify the secretary promptly in case of any failure to write to a target (which it is hoped will not often occur), or in case of temporary or permanent withdrawal from the work of the Corps. All, whether members or not, are asked to lose no opportunity of informing the secretary of suitable targets. Address, STEPHEN T. BYINGTON, 108 W. 15th St., New York City.

Cohen's reports of letters he receives show so much delinquency among Corps members, not otherwise reported to me, that it seems necessary to reduce the number of sections. The members of Section C (which has been the steadiest) are divided between the other two sections.

Thanks, meanwhile, to those outside the Corps who have been writing to Cohen. I only wish there were more of you, and that you would write oftener. I hope, also, that more of the Corps members will find it possible to write Cohen extra letters, beside those called for by their regular Corps duty.

Please note another change of secretary's address.

Target, section A. — Henry Cohen, 1239 Welton St., Denver, Col. Send him letters for publication in labor papers, as already directed.

Some members, I understand, find a difficulty in writing so often to the same target; they can't furnish fresh ideas so often. Such forget that this target covers several papers, and that Cohen can make good use of three or four letters expressing the same ideas in different words by sending them to as many different papers. But you can also get a good deal of freshness by changing the topic. Write once on money, another time on compulsory arbitration, the next time on something else. Take up different aspects of the same subject; write first on the needlessness of government control in money, then on its harmfulness. There are subjects enough before us for a long series of letters.

Section B. — Wm. M. McCarty, Monrovia, Ala. He said some time ago: "Man's abstract right to the use of the earth cannot be conceived of being applied to any aggregation of individuals except conditionally. Society as a whole derives most benefit from those conditions under which its individual members are stimulated or encouraged to the greatest exertion of their powers." Hence he thinks the present the best condition, as it has most development, and opposes collectivist reforms. Show him that our present condition does not allow full individual development or the free exertion of individual powers, and that a much higher condition in these respects is practically possible. STEPHEN T. BYINGTON.

Another "Age-of-Consent" Symposium.

In the April "Arena" I find two contributions to a second "Age-of-Consent" symposium. Dr. K. B. Leach writes from "A Physician's Standpoint" and Vie H. Campbell asks "Why an Age of Consent?" Mrs. Gardener also makes some remarks upon the subject. These articles, taken in connection with resolutions adopted by medical bodies and recent legislation and more attempted legislation, call for a little critical comment.

Dr. Leach's article is one of the most remarkable that the discussion of this question has elicited. There is much in it that is good, — very good, in fact, — but the good is so mixed with the irretrievably bad, and the writer's conclusion is so antagonistic to his premise, that the article as a whole most forcibly illustrates the common tendency of the advocates of high age of consent to run into irreconcilable contradiction, into bathos and inhumanity. His first paragraph opens with these sentences: "From the physician's standpoint 'the age of consent' is a misnomer — a paradox and a proscription on nature; for nature has but one age of consent, alike in males as in females, and she has fixed laws, rules, and regulations for the consummation of her aims, desires, and efforts in this as in all her other prognosticable acts." What is this age of consent of nature? The doctor leaves us in no doubt. "Let women, then, before all others and before all else, recognize and acquiesce in the demonstration of nature's 'stamp act' on the age of consent, which she elucidates at what is known as the age of *puberty*." Do not fail to note that Dr. Leach urges women to *acquiesce* in the age-of-consent law of nature, which fixes the "age" at puberty. He is determined to make his meaning perfectly clear on this point; in the fifth paragraph, referring to the duty of mothers to properly instruct their daughters, he says: "It is a deplorable fact that the majority of our girls know practically nothing of themselves or of nature's laws relative to their sexuality till after its assertion at the age of consent, — puberty." Again, in the eighth paragraph, the doctor speaks of the mother's duty before the child "reaches the age of puberty, nature's age of consent." In the next paragraph he goes a step further, and, while urging that infants be protected if it necessitates an act of congress or an amendment of the constitution, he adds, following no longer a pause than that indicated by a semi-colon: "remembering the while that nature's age of consent varies in different girls as does the climacteric in women, and that it depends much upon latitude and longitude and altitude, in conjunction with family idiosyncrasy and personal temperament. For this reason emphasize this great fact that nature's age of consent is *puberty*, and that, before this is developed, all females should be infants before the law, and justly so; BUT AFTER PUBERTY ALL FEMALES SHOULD BE WOMEN IN NAME AS IN PHYSICAL FACT, AND THEN, and only then, JUSTLY SUBJECT TO THE PENALTIES OF SOCIAL AND LEGAL RESTRICTIONS." In other words, after "nature's age of consent, puberty," association with a young woman by her desire is *not* rape, and she stands upon her feet as an independent and responsible individual. That is my position also. The italics in the last quotation above are Dr. Leach's; the small capitals are mine.

But there is still more to come. In his tenth paragraph Dr. Leach speaks of relegating the age of consent "to its natural position, — puberty," and says that "woman will acquire her rights, and man be none the loser."

Now we have reached the eleventh and last paragraph of this, in many respects, sensible article, and the argument changes as with the rapidity of a lightning flash. "Admitting that from the physician's standpoint nature's age of consent is puberty, the legal age of consent should harmonize in male and in female at that age when each is lawfully capable of barter and sale of personal and real property rights as well as of virtue." This means that the age of consent should be fixed at eighteen or twenty-one years, several years after the natural age of consent has been reached by the vast majority of young women, if not by all, — that age at which we had just been told "*all* females should be women in name as in physical fact," and they individually amenable to social and legal regulations. Could self-stultification be more complete and hopeless? But Dr. Leach adds inhumanity to self-stultification. Apparently anxious to magnify his profession, he tells fathers that they must instruct their sons that "'shot-gun prescriptions' are of the past, that surgery and serum therapy are of this day, and that the best anti-toxine against the seducer" is mutilation. After emphasizing the fact that nature's age of consent is puberty; after pointing out that that age varies with individuals and families, with the latitude and longitude and altitude of the habitat; after insisting that at puberty the girl becomes a woman in name no less than in physical fact, capable of making responsible use of her faculties and functions, — Dr. Leach reaches the "lame and impotent" and barbarous conclusion that the lover of this responsible young woman shall be punished for his and her free choice by a penalty ten times worse than death. In other words, he wants the legislature of Texas, or congress, or both, to disregard and defy all those essential modifying conditions he has named, and enact for that State, an empire in area, or for the United States, destined to ultimately include a whole continent, a blanket age-of-consent law under which the men of races whose girls become women at the age of twelve, or earlier, and are withered crones at thirty, must comfort themselves as do the men of races whose girls do not become women until sixteen and are in the flush of vigor and beauty at thirty. To the lover of that justice and that liberty of choice without which really orderly and happy human society is not possible it is a task of extreme difficulty to treat dispassionately and with conventional courtesy such productions as this of Dr. Leach. After reading his excellent advice to mothers, his clear presentation of nature's law of consent, and his unequivocal affirmation that at puberty the girl becomes a woman, responsible for the infraction of law, it is a painful shock to one's belief that men can reason coherently and one's faith in the goodness of human nature to find Dr. Leach advocating an undiscriminating age-of-consent law that cannot fail to work gross injustice in numberless instances, and deliberately, but with flippant levity withal, advising the application of a cruel and irremediable punishment from which even savages would shrink.

WHY AN AGE OF CONSENT?

Vie H. Campbell, president of the Wisconsin Women's Christian Temperance Union, is either more logical or more candid than her fellow-crusaders in this field. She cannot understand why a young woman aged seventeen years, eleven months, and twenty-nine days, should be held to be incapable of consenting to association, while the same young woman, when she has added one more day to her life, is held to be responsible for her own actions in this sphere. She cannot understand why the lover of the young woman is in the first case a criminal, and in the second case *not* a criminal. She can see no natural line of demarcation, and hence she wants all age-of-consent laws swept away, and association outside of marriage to be always a crime, so far as man is concerned, and the act of an irresponsible infant, so far as woman is concerned. How complimentary Mrs. Campbell is to the intelligence of our sex! We are never to become old enough to know what we want, unless informed by a priest or justice of the peace! And yet, in the face of this advocacy of perpetual infancy for women and perpetual responsibility for men, this symposiast is eager to establish a *single* standard of morals! Such a "single standard" has its counterpart only in that established by the new age-of-consent law of Colorado (if Governor McIntyre has signed the bill), which puts the "age" for a girl at eighteen years, but punishes for rape a boy of *fourteen* who consorts with her before she has reached the "age." Looking at this law on one side, we see that she is supposed to be incapable of reasoning as a woman until she is eighteen, while he is accounted capable of reasoning as a man at fourteen, and all this despite the universally admitted fact that, on the average, girls mature, physically and mentally, some years earlier than boys! Wonderful, indeed, is the "single standard" of morals and responsibility as formulated by Christian women and Colorado legislators! But I must say to them all that a genuine unitary moral code for men and women is to be attained, as Grant Allen has recently so well said, not by making man a slave with woman, but by making woman free with man, — *not* by leveling down, but by leveling up. It is not equality in a community of serfs that any rational person wants, but equal opportunities in a society of free men and women.

Dr. Leach, in spite of his lamentable obliquity of vision, nevertheless is far nearer the truth in most respects than is his co-laborer; for, while she apparently sees no help but in more and more stringent and liberty-defying legislation, he lays great stress on the importance of frank and fearless home instruction of the young. He would have the girl know all about her woman's nature by the time she reaches puberty. With such instruction imparted in all homes, and equitable industrial conditions established, nineteen-twentieths of the real sexual evils of the time would disappear. But this would not satisfy a certain class of moralistic "reformers." No matter how happy dissenters are, the conventional conformers can never let them alone. To illustrate what I mean, I will call your attention to the statement of Mrs. Campbell that a girl cannot marry before she obtains her legal majority unless she obtains the consent of her guardian. This point is made much of by all of the friends of a high age of consent. Now let us look at this matter in another light. It is tacitly admitted that a girl may rightfully marry under eighteen or twenty-one, if she have the consent of her parents. But would these same persons admit that she could rightfully associate with her lover *without* marriage, if she had that consent? Mrs. Campbell wants *no* age of consent; there must be no union without the sanction of external authority. Would she admit that a woman of forty might innocently associate with her lover, with the assent of her parents, outside the pale of marriage? Undoubtedly not. It amounts to just about this: no matter how well the mother may know her daughters, how close she may be in their confidence, she cannot give a valid consent to their love association outside of conventional marriage, — that is, she cannot give a consent that would satisfy Mrs. Campbell and Dr. Leach. If with her consent a mother's mature daughters should enter into such "irregular" relations, the two Christian people I have named would hold up their hands in pious horror and talk about these self-centred and well-equipped young women having "gone astray," having had each her "woman's honor" stolen away, her "purity sullied," her "crown of womanhood, her virtue," taken from her. But, if some superstitious priest, some unscrupulous magistrate, who knows nothing of the preparation needed for motherhood, who does not understand the natures and needs of these young women, who has not their trust and is not interested in their welfare, gives *his* consent, it is all right. It is all right, even if the mother thinks that the companions they have chosen are not good men. Her dissent counts for nothing, if they are of age, against the consent of the incompetent stranger, — priest or magistrate, as the case may be.

This illustration serves to bring out into strong relief the fact that with very many this is not so much a battle for the protection of the girls as for the safeguarding of the institution of legal marriage. They regard sex and its manifestations as inherently impure, and think that nothing but the consent of recognized authority — that is, authority recognized by "they" — can sanctify it and its relations. They agree in effect with Paul that it is better to marry than to associate otherwise, but that the "carnal" nature is a terribly bad thing at the best.

Mrs. Campbell seems determined that woman shall not be her own mistress at any time in her life, so far as her sex-nature is involved. Before she is eighteen or twenty one, and outside of marriage, she is either an infant or a criminal, while inside of marriage she is always a sexual serf in the eyes of the law. Outside of marriage, she could *not* consent; inside of marriage, she *must* consent. All her life it is either you must not or you must. Never a moment of self-sovereignty. Still, Mrs. Campbell wants to make woman free! Of course, I do not need to remind her that in no State will the charge of rape by the husband upon the wife be entertained. Why does she not demand the amendment of the law in this particular? Does she think that it is not a crime for the husband to force unwilling motherhood upon the wife, but that it is a crime for a man and woman to gladly associate outside of marriage? And has she noted how persistent is the idea that woman owes man certain services in return for pecuniary support? Most of our law-making moralists, and other sorts of moralists, seem to think

that marriage was ordained that men might have women and women might have money. It does not appear to have occurred to them that under healthful conditions the love relations would be independent of financial considerations; that men and women equally need and enjoy each other's companionship, and that, if that companionship is to be unbought and unforced, the man and woman must each be self-supporting.

By one of those odd coincidences that so often present themselves, the epidemic of age of consent bills that distinguished the legislative season just passed or passing was accompanied by another epidemic, — that of bills for the taxation of old bachelors for the support of spinsters. The legislators reason according to accepted orthodox logic that, if bachelors do not take the initiative for the customary exchange, they should be punished by being forced by taxation to help support the women they might have made arrangements to support on the conventional terms.

But there is a still more startling confirmation of my contention that the Grundyites expect women to remain the dependents of men, but in this instance it would appear that they are overdoing the business. For several years now various cities have been discriminating against women teachers who are married. St. Louis and San Francisco were the leaders in the movement, I believe. A bill forbidding the employment of married women as teachers in the public schools was introduced in the legislature of Illinois. Of course, the idea is that the married woman is not a unit; she is part of a unit, the family, and the husband, as the "provider" for the family, should support her. She must depend upon him for all she wants of food, clothing, shelter, etc., and will give him in return what may be necessary of flattery and affection, or of the latter's counterfeit. It will probably be found that legislation like this proposed in Illinois will be a boomerang, — that an increasingly large proportion of the teachers will remain single. Then some Solon will come to their rescue with a bill for a law levying a higher tax on old bachelors! But the whole business is in line with Mrs. Campbell's demand for the life-long minority of woman.

SOME OTHER BLUNDERS.

Referring to the work of women legislators in Colorado, Helen H. Gardener speaks of the "honor" of the little girls being imperiled. I cannot admit this to be so. Their persons might be in danger, their health or happiness imperiled, but *not* their honor if they were too young to have responsible judgments of their own in regard to their relations with men, *and that of course is the presumption* in Mrs. Gardener's mind concerning all of those who are under the "age" she would fix. Those who can not tell right from wrong, good from evil, are in no danger of losing either "honor" or "virtue," whatever else they may lose.

A "mistake in judgment" does not mean "entire outlawry" for a girl who has parents with hearts and common sense, and they will see to it that at that age when she is "nervous and restless and unstrung" she have the guidance and care that are all she needs, her heredity being fair. Suppression at this period has ruined millions more than have been "ruined" otherwise.

Mrs. Gardener seems to think much of the resolutions adopted by the New York State Medical Society and the New York State Homœopathic Society in favor of the bill presented in the New York legislature fixing the age of consent at eighteen years. The "new priesthood" of medicine is not likely to secure a very great degree of respect from discriminating thinkers. I do not see that the opinion of the members of these two societies is worth any more than that of the same number of other men of equal general intelligence. Medicine and surgery are two sciences, sociology is a third. Orthodox medicine is not so very much more progressive than orthodox religion. Valuable innovations, in both cases, have usually come from without. I cannot forget that the scientific inquisition, vivisection, has its stronghold in the citadel of the physiologists and their allies, the doctors and surgeons, and it is to these men that we owe our compulsory vaccination laws. In this State (New York) we *must* send our children to school, and they *must* be vaccinated before they are admitted.* These men are also anxious for monopoly laws in their own interest, and, in short, while they are a fairly useful class of citizens, and some of them are exceptionally beneficial in all their relations, it can not truthfully be said that, as a class, they are qualified to make laws for their fellow-citizens. They certainly have now all the legal power that is conducive to the welfare of the general public, and the same is true of the other people who represent the various isms back of the age of consent "reform," especially that phase of it for which Dr. Lewis and Mrs. Campbell have undertaken to speak. We must have opportunity to grow and to work out our own salvation. Only thus can the race progress. We must be done with the cant that prates of "honor" and "virtue" and "purity" that have their roots in the thin and barren soil of convention. The "crown of womanhood" must be something more real and valuable than the paste jewels of that fashionable society which, while it has lost nature, has not found art, but artificiality.

LILLIAN HARMAN.

* This bill has since become a law.

Mr. Ruedebusch in His Defence.

To the Editor of Liberty:

As E. H. S., in her review of my book, "Freie Menschen in der Liebe und Ehe," misrepresents my position in some important particulars, I ask permission to right myself in your columns.

1. There is no sentence in my book which states that I have something "entirely new" to offer. Several sentences, however, may be understood to express something very similar (indirectly), — but this is of very little importance. The book as an entirety is certainly very different from anything that I have, or E. H. S. has, ever read. I do not care a snap whether any of the ideas are considered "original" or not; but I do care whether they are correct. Should we agitate in that direction?

2. I still assert that I have explored pretty tho roughly "the whole ground that has been gone over, both theoretically and practically," and am sure that E. H. S. could not show me a single important spot that I have missed. I will admit, however, that in one or two places where I say: "All free-lovers have heretofore," etc., I should have added the words "with very few exceptions," in order to be perfectly correct.

3. "Varietist of the extremest type." This cannot be called a misrepresentation, but, if mentioned without further explanation, may be misunderstood. My studies gave me the firm conviction that perfect freedom from all love-superstitions must naturally lead to an almost general "variety" in sex-relations, and I prove that there is not the slightest reason for free men and women to deplore this fact. Logical thinking will liberate us from a foolish "love-ideal" inherited from religion, and then (and not until then) freedom in love will be of great value.

4. ". . . . who are not only attracted toward each other physically, but who *can* (!) also be friends," etc. This is a very incorrect statement. What I proposed to call the "marriage of the free" has no relation whatever to what is generally called "physical attraction" or a physical union, while true friendship and comradeship will certainly be required for it. In "free society" there will be no physical union extending beyond the time of actual physical co-enjoyment. I condemn any and every sexual contract as harmful (or immoral, if you prefer that word), whether it is meant for life or for a week, — whether it is asked on the strength of any legal or moral law, or as a *self-evident attributive to an expression of love.*

5. If anybody can find in my book a single expression meaning that I consider anybody "in duty bound, for the sake of the principle involved," to do anything whatever, then I will promptly withdraw the book and write another one.

6. "Jealousy is reasoned out of existence with a *quod erat demonstrandum.*" As I know E. H. S. to be an intelligent person, I cannot find any other explanation for this ridiculous accusation than that she has not read that chapter of my book entitled "Jealousy and Possession." In this I investigate the different factors that cause jealousy at present. The logical conclusion drawn from these investigations is that nearly all the anguish and bitterness, the depraving and pernicious influence of jealousy, is not caused by love directly, but by the fight for the possession of human beings. Let us give up this idea of possession, which brings us no real benefit; then none but the *natural jealousy* will remain, — *i. e.*, the natural egoism that is unwilling to resign an enjoyment for the benefit of others, which is, and probably should be, the most severe in the case of sexual love.

7. I suppose we never will be able to "demonstrate away all our weaknesses and absurdities," but I can assure E. H. S. that I know a few (and I am among them) who have conquered this weakness and absurdity in regard to jealousy. As we have no reason to consider ourselves such extreme exceptions in regard to intellectual power, we hope to find a few more, although we must probably give up E. H. S. I am well aware that with many a person the old feeling will remain, even after his reason has declared it an absurdity. It is the same with the man who used to believe in ghosts and was suddenly struck by the light of reason. He now has the firm conviction that ghosts are an impossibility, but still he trembles when he gets near the "haunted place" as the clock strikes twelve. I would say to this man: Do not be satisfied with solving the theory; try the experiment; march right into the "haunted place" at the mysterious hour once or twice, and you will get over your trembling. For a similar reason I give that "advice" in my book which has caused such a storm of indignation (even with some so called "free-lovers)." But remember, I also tell them: Be sure that your reason has solved the theory perfectly before you try the experiment; otherwise the ghost might scare you anyway.

8. Among the next accusations, which need no answer, I notice the reproach that I did not write about economic and social freedom. Well, I thought that every intelligent reader could read between the lines that nothing but liberty would do for me in any field. I will admit now that it would have been better if I had at least mentioned these subjects, in order to avoid misunderstandings. I did not do so, because I had the feeling that many others had written upon this subject more clearly than I would ever be able to write, and that hence I should only weaken my cause by so doing.

9. I also consider Stephen Pearl Andrews's "Love, Marriage, and Divorce" a highly valuable treatise on the subject. I am very sorry that E. H. S. did not point out the difference between this treatise and mine (or rather my addition to the same, as I would like to call it.)

10. "How the woman fares in this arrangement is a matter of entire indifference to him." This sentence shows very plainly that E. H. S. has not read my book completely. If she had, she never could have published such a false statement. As her arguments following this sentence apply only to the average woman of today, they can be of no interest to me. Such a woman will not think of entering into the "marriage of the free," which I propose, as long as she is subject to those "superstitions"; and, when she has conquered these, all the dangers which E. H. S. describes must, self-evidently, disappear with them.

11. I certainly am a downright egotist, and do not claim to be anything else.

12. "Malthusianism would solve the labor question." Another false statement. I never wrote that, or thought that. I say in my book that sex-freedom, together with the knowledge of the preventive check, will *help* to solve the labor question. Even E. H. S. will not dare deny that. Quite a number of Socialists and Anarchists have told me that I laid too much weight upon this. If E. H. S. had written the same, she might have forced me to admit that she might be right. "Less would here have been more."

13. ". . . . whose senses are convinced even before the intellect has quite grasped the doctrine of liberty, — it is fraught with danger." If this is true of my book, then it certainly is truer of any other book or pamphlet ever written in favor of "free love." Contrary to the others, I warn them of this danger. I warn them not to be lured into any experiments in "freedom in love" before their "intellect has grasped the doctrine," — *i. e.*, before they have freed themselves from all superstitions.

14. All kinds of awful things have already been said about my "advice," but that it is the result of "*naïveté*" is such a strikingly new and "original" idea that I am really sorry that E. H. S. did not explain why it appeared to her as such.

I must tell E. H. S. that, in my estimation, she

would have done far better to allow "her pot to simmer for a little while longer" before publishing a criticism of my book. She might then have served the public with a more interesting treatise. Does it not appear as an absurd idea to use so much valuable space to inform the readers of Liberty of the *wonderful* fact that there has been published recently a book in a foreign language that has no value whatever?* If instead of that she had selected some important parts of my book, which, in her opinion, showed my lack of "physiological insight into human nature," etc., and had tried to show the fallacy of my arguments, that certainly would have had more value. Suppose that she had argued against such of my assertions as that "perfect freedom must lead to variety," or that "sexual possession is not necessary for a truly beautiful home," or against my theory of jealousy, then I would have answered her. Such a debate might have been of interest to all readers, no matter whether they had read my book or would ever read it. As it is, I am sorry to have been the cause of such a controversy (by asking Mr. Tucker for a criticism in Liberty), and must apologize to the editor and the readers for such an unwarranted intrusion.

EMIL F. RUEDEBUSCH.

The Politician.

The politician is a hybrid knave,
The people's tyrant, but the boss's slave.
Without a trade and with a love of pelf,
With nothing else to sell he sells himself;
Yet, strange to say, the man is spotless quite,
The keenest eye can't find a spot that's white.

See him in power! He proudly takes his seat,
A legislator, and his joy's complete.
He talks of virtue, and makes laws 'gainst vice;
Prates of his honor, and makes known his price;
Then sells his vote, the vote of thousands more,
But scorns a woman if an honest whore.
For many ills mankind finds some resource;
Pain has its ether, marriage has divorce;
But ills there are men strive to cultivate:
So politicians swarm, and loot the State.
The country suffers, and behold the cause!
The laws make rascals, and the rascals laws.

J. J. D.

* As Mr. Ruedebusch admits only a few sentences further on that he had asked me for a criticism of his book, in Liberty, and as I had indicated to E. H. S. my desire to satisfy his request, this question is clearly an improper one. There is no reason to suppose that E. H. S. would have reviewed the book in these columns, had it not been for his request to me and mine to her. — EDITOR LIBERTY.

MODERN MARRIAGE.

BY ÉMILE ZOLA.

Translated from the French by Benj. R. Tucker.

In this his latest story Zola takes four typical marriages,— one from the nobility, one from the *bourgeoisie*, one from the petty *bourgeoisie*, and one from the working-people,—and describes, with all the power of his wondrous art, how each originates, by what motive each is inspired, how each is consummated, and how each results.

PRICE, 15 CENTS.

Mailed, post-paid, by the Publisher,
BENJ. R. TUCKER, Box 1312, NEW YORK CITY.

SLAVES TO DUTY.

By John Badcock, Jr.

A unique addition to the pamphlet literature of Anarchism, in that it assails the morality superstition as the foundation of the various schemes for the exploitation of mankind. Max Stirner himself does not expound the doctrine of Egoism in bolder fashion. 30 pages.

PRICE, 15 CENTS.

Mailed, post-paid, by
BENJ. R. TUCKER, Box 1312, New York City.

Wind-Harp Songs—One Dollar.

If you will take a copy of my book of poems when printed, please send me your name. I want 200 subscribers.

J. Wm. Lloyd, Westfield, New Jersey.

RIPANS TABULES regulate the stomach, liver and bowels, purify the blood, are safe and effectual. The best general family medicine known for Biliousness, Constipation, Dyspepsia, Foul Breath, Headache, Heartburn, Loss of Appetite, Mental Depression, Painful Digestion, Pimples, Sallow Complexion, Tired Feeling, and every symptom or disease resulting from impure blood, or a failure by the stomach, liver or intestines to perform their proper functions. Persons given to over eating are benefited by taking a TABULE after each meal. Price, of druggists or by mail, Box (6 vials) 75c.; Package (4 boxes) $2.00. Address THE RIPANS CHEMICAL CO., New York. Samples free.

INSTEAD OF A BOOK:

BY A MAN TOO BUSY TO WRITE ONE.

A FRAGMENTARY EXPOSITION OF
PHILOSOPHICAL ANARCHISM.

Culled from the Writings of
BENJ. R. TUCKER,
EDITOR OF LIBERTY.

With a Full-Page Half-Tone Portrait of the Author.

A large, well-printed, and excessively cheap volume of 524 pages, consisting of articles selected from Liberty and classified under the following headings: (1) State Socialism and Anarchism: How Far They Agree, and Wherein They Differ; (2) The Individual, Society, and the State; (3) Money and Interest; (4) Land and Rent; (5) Socialism; (6) Communism; (7) Methods; (8) Miscellaneous. The whole elaborately indexed.

Price, Fifty Cents.

Mailed, post-paid, by the Publisher,
BENJ. R. TUCKER, Box 1312, NEW YORK CITY.

THE SCIENCE OF SOCIETY.

BY

STEPHEN PEARL ANDREWS.

A well-printed book of 165 large pages, consisting of two essays bearing the following titles respectively: "The True Constitution of Government in the Sovereignty of the Individual as the Final Development of Protestantism, Democracy, and Socialism"; "Cost the Limit of Price: A Scientific Measure of Honesty in Trade as One of the Fundamental Principles in the Solution of the Social Problem." This work is an elaborate exposition of the teachings of Josiah Warren by one of his foremost disciples.

PRICE IN CLOTH, $1.00; IN PAPER, 50 CENTS.

PREMIUM OFFER.

Any person purchasing of the undersigned a cloth-bound copy of "The Science of Society" will also receive, free of charge, one copy of "The Review of the Anarchist Case," by Gen. M. M. Trumbull, and of "The Reasons for Pardoning Schwab, *et al.*," by Gov. John P. Altgeld.
Any person purchasing a paper-bound copy will also receive, free of charge, one copy of Tolstoi's "Church and State."
Mailed, post-paid, by
BENJ. R. TUCKER, Box 1312, New York City.

LIBERTY'S LIBRARY.

For any of the following Works, address,
BENJ. R. TUCKER, Box 1312, New York, N. Y.

BOMBS: The Poetry and Philosophy of Anarchy. By William A. Whittick. 187 pages. Price, cloth, 75 cents; paper, 50 cents.

SO THE RAILWAY KINGS ITCH FOR AN EMPIRE, DO THEY? By a "Red-Hot Striker," of Scranton, Pa. A reply to an article by William M. Grosvenor in the *International Review*. Price, 10 cents; per hundred, $4.00.

WORK AND WEALTH. By J. K. Ingalls. 13 pages. Price, 10 cents.

THE WIND AND THE WHIRLWIND. By Wilfred Scawen Blunt. A poem worthy of a place in every man's library, and especially interesting to all victims of British tyranny and misrule. A red-line edition, printed beautifully, in large type, on fine paper, and bound in parchment covers. Elegant and cheap. 32 pages. Price, 25 cents.

CAPTAIN ROLAND'S PURSE: How It is Filled and How Emptied. By John Ruskin. The first of a projected series of Labor Tracts. Supplied at 37 cents per hundred.

THE QUINTESSENCE OF IBSENISM. By G. Bernard Shaw. Pronounced by the London *Saturday Review* a "most diverting book," and by the author "the most complete assertion of the validity of the human will as against all laws, institutions, *isms*, and the like, now procurable for a quarter." Ibsen's works have been read very widely in America, and there have been almost as many interpretations as readers. This conflict of opinion will cause the liveliest curiosity to know what view is taken by Mr. Bernard Shaw, who is not only one of the keenest students of Ibsen, but one of the wittiest writers in England. He takes up the plays *seriatim*, subjects each to searching analysis, and extracts the quintessence of the whole. Nearly 200 pages. Price, paper, 25 cents.

THE STORY OF AN AFRICAN FARM. By Olive Schreiner. A romance, not of adventure, but of the intellectual life and growth of young English and German people living among the Boers and Kaffirs; picturing the mental struggles through which they passed in their evolution from orthodoxy to rationalism; and representing advanced ideas on religious and social questions. A work of remarkable power, beauty, and originality. 375 pages. Price, cloth, 60 cents; paper, 25 cents.

MY UNCLE BENJAMIN. A humorous, satirical, and philosophical novel. By Claude Tillier. Translated from the French by Benj. R. Tucker. With a sketch of the author's life and works by Ludwig Pfau. This work, though it has enjoyed the honor of three translations into German, has never before been translated into English. It is one of the most delightfully witty works ever written. Almost every sentence excites a laugh. It is thoroughly realistic, but not at all repulsive. Its satirical treatment of humanity's foibles and its jovial but profound philosophy have won its author the title of "the modern Rabelais." My Uncle Benjamin riddles with the shafts of his good-natured ridicule the shams of theology, law, medicine, commerce, war, marriage, and society generally. 312 pages. Price, cloth, $1.00; paper, 50 cents.

A VINDICATION OF NATURAL SOCIETY. A serious denunciation of States and Governments, under whatever name or form they may exist. By the famous statesman, Edmund Burke. 36 pages. Price, 10 cents.

HEROES OF THE REVOLUTION OF '71. A souvenir picture of the Paris Commune, presenting Fifty-One Portraits of the men whose names are most prominently connected with that great uprising of the people, and adorned with mottoes from Danton, Blanqui, Pyat, Proudhon, J. Wm. Lloyd, Tridon, and August Spies. Of all the Commune souvenirs that have ever been issued this picture stands easily first. It is executed by the phototype process from a very rare collection of photographs, measures 15 inches by 24, and is printed on heavy paper for framing. Over 50 portraits for 25 cents.

ANARCHISTS' MARCH. Tune: Björneborgarnes Marsch (Finnish War Song). Words by J. Wm. Lloyd. Price, 10 cents.

LIBERTY'S LIBRARY.

For any of the following Works, address,
BENJ. R. TUCKER, Box 1312, New York, N. Y.

ANARCHISM: ITS AIMS AND METHODS. An address delivered at the first public meeting of the Boston Anarchists' Club, and adopted by that organization as its authorized exposition of its principles. With an appendix giving the Constitution of the Anarchists' Club and explanatory notes regarding it. By Victor Yarros. 30 pages. Price, 5 cents; 6 copies, 25 cents; 25 copies, $1.00; 100 copies, $3.00.

GOD AND THE STATE. "One of the most eloquent pleas for liberty ever written. Paine's 'Age of Reason' and 'Rights of Man' consolidated and improved. It stirs the pulse like a trumpet call." By Michael Bakounine. Translated from the French by Benj. R. Tucker. 52 pages. Price, 15 cents.

MUTUAL BANKING: Showing the radical deficiency of the existing circulating medium, and how interest on money can be abolished. By William B. Greene. Price, 25 cents.

FREE POLITICAL INSTITUTIONS: Their Nature, Essence, and Maintenance. An abridgment and rearrangement of Lysander Spooner's "Trial by Jury." Edited by Victor Yarros. 47 pages. Price, 25 cents.

WHAT IS PROPERTY? Or, an Inquiry into the Principle of Right and of Government. By P. J. Proudhon. Prefaced by a Sketch of Proudhon's Life and Works. Translated from the French by Benj. R. Tucker. A systematic, thorough, and radical discussion of the institution of property,—its basis, its history, its present status, and its destiny,—together with a detailed and startling *exposé* of the crimes which it commits, and the evils which it engenders. 500 pages octavo. Price, cloth, $2.00; paper, $1.20.

SYSTEM OF ECONOMICAL CONTRADICTIONS: Or, the Philosophy of Misery. By P. J. Proudhon. Translated from the French by Benj. R. Tucker. This work constitutes the fourth volume of the Complete Works, and is published in a style uniform with that of "What Is Property?" It discusses, in a style as novel as profound, the problems of Value, Division of Labor, Machinery, Competition, Monopoly, Taxation, and Providence, showing that economic progress is achieved by the appearance of a succession of economic forces, each of which counteracts the evils developed by its predecessor, and then, by developing evils of its own, necessitates its successor, the process to continue until a final force, corrective of the whole, shall establish a stable economic equilibrium. 469 pages octavo, in the highest style of the typographic art. Price, cloth, $2.00.

A POLITICIAN IN SIGHT OF HAVEN: Being a Protest Against Government of Man by Man. By Auberon Herbert. Price, 10 cents.

INVOLUNTARY IDLENESS. An exposition of the causes of the discrepancy existing between the supply of and the demand for labor and its products. By Hugo Bilgram. 119 pages. Price, cloth, 50 cents.

A LETTER TO GROVER CLEVELAND ON HIS False Inaugural Address, the Usurpations and Crimes of Lawmakers and Judges, and the Consequent Poverty, Ignorance, and Servitude of the People. 1886. By Lysander Spooner. 110 pages. Price, 35 cents.

THE ANARCHISTS: A Picture of Civilization at the Close of the Nineteenth Century. A poet's prose contribution to the literature of philosophic and egoistic Anarchism. The author traces his own mental development in London amid the exciting events of 1887,—the manifestations of the unemployed, the rioting at Trafalgar Square, and the executions at Chicago. The antagonism between Communism and Anarchism sharply brought out. By John Henry Mackay. Translated from the German by George Schumm. 315 pages, with portrait of the author. Price, cloth, $1.00; paper, 50 cents.

TAXATION OR FREE TRADE? A Criticism upon Henry George's "Protection or Free Trade?" By John F. Kelly. 16 pages. Price, 5 cents; 6 copies, 25 cents; 100 copies, $3.00.

SOCIALISTIC, COMMUNISTIC, MUTUALISTIC, and Financial Fragments. By W. B. Greene. Price, $1.25.

CO-OPERATION: ITS LAWS AND PRINCIPLES. An essay showing Liberty and Equity as the only conditions of true co-operation, and exposing the violations of these conditions by Rent, Interest, Profit, and Majority Rule. By C. T. Fowler. Containing a portrait of Herbert Spencer. Price, 6 cents; 2 copies, 10 cents.

PROHIBITION. An essay on the relation of government to temperance, showing that prohibition cannot prohibit, and would be unnecessary if it could. By C. T. Fowler. Price, 6 cents; 2 copies, 10 cents.

THE REORGANIZATION OF BUSINESS. An essay showing how the principles of co-operation may be realized in the Store, the Bank, and the Factory. By C. T. Fowler. Containing a portrait of Ralph Waldo Emerson. Price, 6 cents; 2 copies, 10 cents.

CORPORATIONS. An essay showing how the monopoly of railroads, telegraphs, etc., may be abolished without the intervention of the State. By C. T. Fowler. Containing a portrait of Wendell Phillips. Price, 6 cents; 2 copies, 10 cents.

CO-OPERATIVE HOMES. An essay showing how the kitchen may be abolished and the independence of woman secured by severing the State from the Home, thereby introducing the voluntary principle into the Family and all its relationships. By C. T. Fowler. Containing a portrait of Louise Michel. Price, 6 cents; 2 copies, 10 cents.

LAND TENURE. An essay showing the governmental basis of land monopoly, the futility of governmental remedies, and a natural and peaceful way of starving out the landlords. By C. T. Fowler. Containing a portrait of Robert Owen. Price, 6 cents; 2 copies, 10 cents.

THE UNCONSTITUTIONALITY OF THE LAWS of Congress Prohibiting Private Mails. 1844. By Lysander Spooner. 24 pages. Price, 10 cents.

NO TREASON.—No. II. 1867. By Lysander Spooner. 16 pages. Price, 15 cents.

NO TREASON.—No. VI. Showing that the constitution is of no authority. 1870. By Lysander Spooner. 59 pages. Price, 25 cents.

ILLEGALITY OF THE TRIAL OF JOHN W. WEBSTER. Containing the substance of the author's larger work, "Trial by Jury," now out of print. 1850. By Lysander Spooner. 16 pages. Price, 10 cents

NATURAL LAW: Or, the Science of Justice. A treatise on natural law, natural justice, natural rights, natural liberty, and natural society; showing that all legislation whatsoever is an absurdity, a usurpation, and a crime. Part First, 1882. By Lysander Spooner. 21 pages. Price, 10 cents.

A LETTER TO THOMAS F. BAYARD. Challenging his right—and that of all the other so-called senators and representatives in Congress—to exercise any legislative power whatever over the people of the United States. By Lysander Spooner. Price, 3 cents.